

Appl. No. 10/737,235
Docket No. 9456
Amdt. dated September 12, 2008
Reply to Office Action mailed on June 12, 2008
Customer No. 27752

REMARKS

Claim Status

Claims 1 and 3-21 are pending in the present application. No additional claims fee is believed to be due.

Claim 1 is amended to state that the composite web is disposed between a topsheet and a backsheet. Claim 15 is amended to state that the absorbent core is disposed between a topsheet and a backsheet. Support for the amendments can be found, for example, on Page 23, Lines 12-15, and FIG. 11.

Claims 12 and 13 are amended to provide for antecedent basis. Support for the amendment can be found, for example, in Claims 1, 12, and 13 as originally filed.

Claim 14 is amended to state that the first fibrous layer has an average fiber diameter and the discrete regions have an average fiber diameter, wherein the average fiber diameter of the discrete regions is less than the average fiber diameter of the first fibrous layer. Support for the amendment can be found, for example, on Page 13, Lines 29-33.

New Claim 16 is added. Support for Claim 16 can be found, for example, in Claim 3 as originally filed.

New Claim 17 is added. Support for Claim 17 can be found, for example, in Claim 4 as originally filed.

New Claim 18 is added. Support for Claim 18 can be found, for example, in Claim 5 as originally filed.

New Claim 19 is added. Support for Claim 19 can be found, for example, in Claim 13 as originally filed.

New Claim 20 is added. Support for Claim 20 can be found, for example, in Claim 3 as originally filed.

Appl. No. 10/737,235
Docket No. 9456
Amdt. dated September 12, 2008
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Customer No. 27752

New Claim 21 is added. Support for Claim 21 can be found, for example, on Page 13, Lines 29-33.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 U.S.C. § 102 Over Provost et al.

Claims 1, 3-5, 8, 12, and 15 were rejected under 35 U.S.C. § 102(e) over Provost and Shepard (US 2004/0157036), hereinafter referred to as Provost. The Applicants do not agree that the rejection of the claims, as amended in the Applicants response dated March 12, 2008, over Provost articulated in the Office Action prior to this amendment is proper. The Applicants further maintain arguments made in the response dated March 12, 2008. Nevertheless, Applicants have amended Claim 1 to state that the composite web is disposed between a topsheet and a backsheet. Provost, as cited, does not disclose a composite web having the claimed structure disposed between a topsheet and backsheet. Rather, in Provost, as cited, the composite is a looped fastener product. Therefore, the Applicants submit that Claim 1, as amended, is allowable over Provost.

Claim 15 is amended to state that the absorbent core is disposed between a topsheet and a backsheet. Provost, as cited, does not disclose an absorbent core having the claimed structure that is disposed between a topsheet and backsheet. Rather, in Provost, as cited, the composite is a looped fastener product that is not disposed between the topsheet and backsheet. Therefore, the Applicants submit that Claim 15, as amended, is allowable over Provost.

Based on the above, the Applicants submit that Claims 1 and 15 are allowable over Provost and respectfully request that these claims be allowed.

Claims 3-5, 8, and 12 depend upon Claim 1. Therefore, the Applicants submit that Claims 3-5, 8, and 12 are also allowable and respectfully request that these claims be allowed.

Rejections Under 35 U.S.C. § 102(b) Over Sorimachi et al.

Appl. No. 10/737,235
Docket No. 9456
Amdt. dated September 12, 2008
Reply to Office Action mailed on June 12, 2008
Customer No. 27752

Claims 1, 3, 6-10, 12, 13 and 15 were rejected under 35 U.S.C. § 102(b) over Sorimachi et al. (US 5,508,080). The Applicants do not agree that the rejection of the claims, as amended in the Applicants response dated March 12, 2008, over Sorimachi et al. articulated in the Office Action prior to this amendment is proper. The Applicants further maintain arguments made in the response dated March 12, 2008. Nevertheless, Applicants have amended Claim 1 to state that the composite web is disposed between a topsheet and a backsheets. Sorimachi et al., as cited, does not disclose a composite web having the claimed structure disposed between a topsheet and backsheet. Rather, in Sorimachi et al., as cited, the laminate wadding is part of a vehicle seat. Therefore, the Applicants submit that Claim 1, as amended, is allowable over Sorimachi et al.

Claim 15 is amended to state that the absorbent core is disposed between a topsheet and a backsheet. Sorimachi et al., as cited, does not disclose an absorbent core having the claimed structure that is disposed between a topsheet and backsheet. Rather, in Sorimachi et al., as cited, the composite is part of a vehicle seat and is not disposed between a topsheet and backsheet. Therefore, the Applicants submit that Claim 15, as amended, is allowable over Sorimachi et al.

Based on the above, the Applicants submit that Claims 1 and 15 are allowable over Sorimachi et al. and respectfully request that these claims be allowed.

Claims 3, 6-10, 12, and 13 depend upon Claim 1. Therefore, the Applicants submit that Claims 3, 6-10, 12, and 13 are also allowable and respectfully request that these claims be allowed.

Rejection Under 35 U.S.C. § 102(b) Over Mende (U.S. 5,180,620)

Claims 1, 4, 5, 8, and 12-15 were rejected under 35 U.S.C. § 102(b) as being anticipated by Mende (U.S. Patent No. 5,180,620). The Applicants do not agree that the rejection of the claims, as amended in the Applicants response dated March 12, 2008, over Mende articulated in the Office Action prior to this amendment is proper. The Applicants further maintain arguments made in the response dated March 12, 2008. Nevertheless, Applicants have amended Claim 1 to state that the composite web is disposed between a topsheet and a backsheets. Mende, as cited, does not disclose that the

Appl. No. 10/737,235
Docket No. 9456
Amdt. dated September 12, 2008
Reply to Office Action mailed on June 12, 2008
Customer No. 27752

laminate disclosed therein is disposed between a topsheet and a backsheets. Therefore, the Applicants submit that Claim 1, as amended, is allowable over Mende.

Claim 14 is amended to state that the first fibrous layer has an average fiber diameter and the discrete regions have an average fiber diameter, the average fiber diameter of the discrete regions being less than the average fiber diameter of the first fibrous layer. In Mende, the filaments are blown against the resin film to form the cloth layer. The Office Action has not shown that the filaments are arranged in a manner such that the average fiber diameter of the discrete regions is less than the average fiber diameter of the first fibrous layer, as identified in the Office Action. Therefore, the Applicants submit that Claim 14, as amended, is allowable over Mende.

Claim 15 is amended to state that the absorbent core is disposed between a topsheet and a backsheets. Mende, as cited, does not disclose an absorbent core having the claimed structure that is disposed between a topsheet and backsheets. Therefore, the Applicants submit that Claim 15, as amended, is allowable over Mende.

Based on the above, the Applicants submit that Claims 1, 14, and 15 are allowable over Mende and respectfully request that these claims be allowed.

Claims 4, 5, 8, 12, and 13 depend upon Claim 1. Therefore, the Applicants submit that Claims 4, 5, 8, 12, and 13 are also allowable and respectfully request that these claims be allowed.

Rejection Under 35 U.S.C. § 103(a) Over Sorimachi et al. (U.S. Patent No. 5,508,080) in View of Kotek et al. (U.S. Patent No. 6,120,718)

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sorimachi et al. (US 5,508,080) in view of Kotek et al. (US 6,120,718). Claim 11 depends upon Claim 1. As discussed above, the Applicants submit that Claim 1 is allowable. Therefore, the Applicants submit that Claim 11 is allowable and request that this claim be allowed.

Rejection Under 35 U.S.C. § 103(a) Over Hansson (U.S. Patent No. 6,048,600)

Appl. No. 10/737,235
Docket No. 9456
Amdt. dated September 12, 2008
Reply to Office Action mailed on June 12, 2008
Customer No. 27752

Claims 1, 3-11, and 13-15 were rejected under 35 U.S.C. § 103(a) over Hansson. The Applicants do not agree that the rejection of the claims, as amended in the Applicants response dated March 12, 2008, over Hansson articulated in the Office Action prior to this amendment is proper. The Applicants further maintain arguments made in the response dated March 12, 2008. Nevertheless, Applicants have amended Claim 1 to state that the composite web is disposed between a topsheet and a backsheet. Hansson, as cited, does not disclose that the laminate disclosed therein is disposed between a topsheet and a backsheet. Rather, the web in Hanson is the casing sheet. Therefore, the Applicants submit that Claim 1, as amended, is allowable over Hansson.

Claim 14 is amended to state that the first fibrous layer has an average fiber diameter and the discrete regions have an average fiber diameter, the average fiber diameter of the discrete regions being less than the average fiber diameter of the first fibrous layer. Hansson, as cited, does not disclose that the fibers are arranged in a manner such that the average fiber diameter of the discrete regions is less than the average fiber diameter of the first fibrous layer, as identified in the Office Action. Therefore, the Applicants submit that Claim 14, as amended, is allowable over Hansson.

Claim 15 is amended to state that the absorbent core is disposed between a topsheet and a backsheet. In Hansson, as cited, there is not an absorbent core having the claimed structure, the absorbent core being disposed between a topsheet and backsheet. Rather, in Hansson, as cited, the web is the casing sheet. Therefore, the Applicants submit that Claim 15, as amended, is allowable over Hansson.

Based on the above, the Applicants submit that Claims 1, 14, and 15 are allowable and respectfully request that these claims be allowed.

Claims 3-11 and 13 depend upon Claim 1. Therefore, the Applicants submit that Claims 3-11 and 13 are also allowable and respectfully request that these claims be allowed.

Double Patenting Rejections

As stated in the Reply After 1st Office Action filed December 22, 2005, Applicants agree to submit all necessary terminal disclaimers upon indication of allowable subject matter.

Appl. No. 10/737,235
Docket No. 9456
Amdt. dated September 12, 2008
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Customer No. 27752

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied references. In view of the foregoing, entry of the amendments presented herein, reconsideration of this application, and allowance of the pending claims are respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By 

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